

AMENDED

ASSIGNED  
40003  
Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 19 1979

Returned to applicant for correction

Corrected application filed FEB 25 1980 Map filed JAN 8 1980 under 40001

The applicant Lyon County

Drawer 'T' of Yerington  
Street and No. or P.O. Box No. City or Town

NV 89447 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use

of water heretofore appropriated under permit 35868

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground (well #9A)  
Name of stream, lake, underground, spring or other source.
2. The amount of water to be changed 4.0 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore used for Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 8, T20N R25E MDB&M or at a  
point from which the SE corner of said section 8 bears S80°31'28"  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be  
E a distance of 303.71 ft  
stated.
6. The existing point of diversion is located within SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 9, T20N R25E MDBM, or at  
a point from which the SW corner of said sec 9 bears S 00°30'00"W  
If point of diversion is not changed, do not answer.  
a distance of 50.00 ft
7. Proposed place of use sections 3,4,5,7,8,9,17,18,19, W $\frac{1}{2}$  Sec 20, T20N R25E  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
MDBM, sections 10,11,12,13,14, E $\frac{1}{2}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$   
Sec 22, N $\frac{1}{2}$  sec 23, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$  of sec 24, T20N R24E MDBM
8. Existing place of use sections 3,4,5,7,8,9,18,19, W $\frac{1}{2}$  Sec 20, T20NR25E MDB&M,  
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.  
sections 10,11,12,13,14, E $\frac{1}{2}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW of sec 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec 22,  
N $\frac{1}{2}$  Sec 23, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of sec 24 T20N R24E MDBM
9. Use will be from Jan 1 to Dec 31 of each year.  
Month and Day Month and Day
10. Use has been from Jan 1 to Dec 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Expansion of Fernley Utilities  
State manner in which water is to be diverted, whether by dam or other works,  
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....2,000,000.00
13. Estimated time required to construct works.....1 yr
14. Estimated time required to complete the application of water to beneficial use.....10 yr
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared.....lp/jk.....gk/ja.....Applicant.....Lyon County.....

By.....s/Manny Gomez.....  
1479 S Wells Ave  
Reno Nev 89502

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35868 is issued subject to the terms and conditions imposed in said Permit 35868 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permits 40001, 40002, 40004, 40005, 40006, 36286, 36287, and 34765 shall not exceed 1,113.25 million gallons annually.

The total combined amount of water granted under this permit and Permit 40002 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 40002, the amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed.....4.0.....cubic feet per second, but not to exceed 943.6 million gallons annually.

- Actual construction work shall begin on or before.....December 26, 1980
- Proof of commencement of work shall be filed before.....January 26, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before.....December 26, 1981
- Proof of completion of work shall be filed before.....January 26, 1982
- Application of water to beneficial use shall be made on or before.....December 12, 1983
- Proof of the application of water to beneficial use shall be filed on or before.....January 12, 1984
- Map in support of proof of beneficial use shall be filed on or before.....January 12, 1984

Commencement of work filed.....IN TESTIMONY WHEREOF, I.....WILLIAM J. NEWMAN  
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of  
Proof of beneficial use filed.....my office, this.....26th.....day of.....JUNE.....  
Cultural map filed.....A.D. 19.....80.....  
Certificate No.....Issued.....  
State Engineer

Permit Terms Continued  
Page 2

total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

At least three ground water monitor wells are to be installed within the place of use at locations satisfactory to the State Engineer. Monitor wells must be suitably cased, perforated, sealed, and capped, and must penetrate at least 75 feet below the water table.